

bill No. 349) Acts of the Thirty-third Legislature, correcting field notes so as to make same identical with field notes of Common School District No. 5 of San Patricio county, Texas, as created by the commissioners court of said county May 13, 1902, and recorded in Volume 2, page 439, of the minutes of said court; and validating bonds issued by Common School District No. 5 of San Patricio county, Texas, and declaring same a legal and binding obligation outstanding against Mathis Independent District as hereinafter defined and described by metes and bounds, and declaring valid a maintenance tax heretofore levied, and declaring an emergency."

H. B. No. 670, A bill to be entitled "An Act incorporating and creating the Knippa Independent School District of Uvalde county, Texas, etc., and declaring an emergency."

H. B. No. 608, A bill to be entitled "An Act creating the Chireno Independent School District in Nacogdoches County, Texas, etc., and declaring an emergency."

H. B. No. 624, A bill to be entitled "An Act creating the Abernathy Independent School District situated in Hale and Lubbock counties, etc., and declaring an emergency."

H. B. No. 610, A bill to be entitled "An Act to amend Section 3 of House bill No. 647, Chapter 136, of the Special Laws passed at the Regular Session of the Thirty-third Legislature relating to Tarrant county road system; providing for the raising of the salaries of county commissioners of said county from \$2000 to \$2400 per annum, and making it the duty of said commissioners to furnish their own conveyance while performing the duties of road commissioner and defray the expense of upkeep of same."

H. B. No. 612, A bill to be entitled "An Act to create a more efficient road, bridge and culvert system for Houston county; to create the office of road superintendent, etc., and providing for an emergency."

H. B. No. 536, A bill to be entitled "An Act creating a new road law for Travis county."

H. B. No. 653, A bill to be entitled "An Act to create a special road law for Cherokee county, and providing for levying and collecting a road tax, authorizing the commissioners court of said county to employ road superintendents

and laborers on the public roads thereof, etc., and declaring an emergency."

And find them correctly engrossed.

RUSSELL, Vice-Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 17, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 479, "An Act enlarging and establishing the Liberty Independent School District, in Liberty county, Texas, etc., and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room,

Austin, Texas, February 17, 1917.

Hon. F. O. Fuller Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 598, "An Act to establish a branch of the Agricultural and Mechanical College of Texas at Stephenville, in Erath county, Texas, and to be known as the John Tarleton Agricultural College; providing for the government, and control of said institution; providing for the acceptance of donations of lands, buildings and money offered by the citizens of Stephenville and Erath county; providing for a students' loan fund, and defining the leading objects, and prescribing generally the nature and scope of instruction to be given in said college, and conferring upon the board of directors of said college the right of eminent domain, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

McCOY, Chairman.

THIRTY-FIRST DAY.

(Monday, February 19, 1917.)

The House met at 10 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called, and the following members were present:

| | |
|--------------------|-------------------|
| Bagby. | Low. |
| Baker. | of Washington. |
| Beard of Harris. | McComb. |
| Beard of Milam. | McCoy. |
| Beasley. | McDowra. |
| Beason. | McFarland. |
| Bedell. | McMillin. |
| Bell. | Martin. |
| Bertram. | Meador. |
| Blackburn. | Mendell. |
| Blackmon. | Metcalf. |
| Blalock. | Miller of Austin. |
| Bland. | Miller of Dallas. |
| Bledsoe. | Monday. |
| Boner. | Moore. |
| Brown. | Morris. |
| Bryan. | Murrell. |
| Bryant. | Neeley. |
| Burton of Rusk. | Neill. |
| Burton of Tarrant. | Nichols. |
| Butler. | Nordhaus. |
| Cadenhead. | O'Banion. |
| Canales. | O'Brien. |
| Carlock. | Osborne. |
| Cates. | Parks. |
| Clark. | Peddy. |
| Cope. | Peyton. |
| Cox. | Poage. |
| Crudgington. | Pope. |
| Davis of Dallas. | Raiden. |
| Davis of Grimes. | Reeves. |
| Davis | Robertson. |
| of Van Zandt. | Roemer. |
| De Bogory. | Rogers. |
| Denton. | Russell. |
| Dodd. | Sackett. |
| Dudley. | Sallas. |
| Dunnam. | Sentell. |
| Estes. | Schlesinger. |
| Fairchild. | Schlosshan. |
| Fisher. | Scholl. |
| Fitzpatrick. | Seawright. |
| Florer. | Sholars. |
| Fly. | Smith of Bastrop. |
| Greenwood. | Smith of Hopkins. |
| Haidusek. | Smith of Scurry. |
| Hardey. | Spencer of Nolan. |
| Harris. | Spencer of Wise. |
| Hartman. | Spradley. |
| Hawkins. | Stewart. |
| Hill. | Swope. |
| Holland. | Taylor. |
| Hudspeth. | Templeton. |
| Johnson. | Terrell. |
| Jones. | Thomas. |
| Laas. | Thomason |
| Lacey. | of El Paso. |
| Laney. | Thomason |
| Lange. | of Nacogdoches. |
| Lanier. | Thompson |
| Lee. | of Hunt. |
| Lowe | Thompson |
| of McMullen. | of Red River. |

| | |
|--------------|--------------|
| Tillotson. | Williams |
| Tilson. | of McLennan. |
| Trayler. | Williford. |
| Tschoepe. | Wilson. |
| Valentine. | Woods. |
| Veatch. | Woodul. |
| Walker. | Yantis. |
| Williams | |
| of Brazoria. | |

Absent.

| | |
|------------|-----------|
| Richards. | Upchurch. |
| Strayhorn. | Wahrmund. |

Absent—Excused.

| | |
|------------|---------|
| Lindemann. | Tinner. |
| Pillow. | White. |

A quorum was announced present.

Prayer was offered by Rev. W. R. Minter, pastor of the First Southern Presbyterian Church, of Austin.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Pillow, for today, on motion of Mr. Beason.

Mr. Lindemann, for last Saturday and today, on motion of Mr. Laas.

Mr. Bryan, for last Saturday, on motion of Mr. McFarland.

Mr. White, for today, on motion of Mr. Mendell.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Peyton:

H. B. No. 714, A bill to be entitled "An Act to amend Article 7017 of Chapter 9, Title 119, of the Revised Statutes of the State of Texas, regulating the construction of bridges over streams forming the division line between counties or road districts, and providing for the payment thereof."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Dunnam:

H. B. No. 715, A bill to be entitled "An Act to create a more efficient road system for Lampasas county, Texas, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Hawkins:

H. B. No. 716, A bill to be entitled "An Act to amend the present Runnels

County Special Road Law in raising the salaries of the commissioners in said county, so that they may receive \$540 for their services for any one year, and raising the salaries for services upon the roads of said county, and prescribing the maximum that each county commissioner may receive while acting as road commissioner of said county, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Laney, Mr. Crudgington, Mr. Blackmon, Mr. Clark and Mr. Bell:

H. B. No. 717, A bill to be entitled "An Act granting women the right to vote for presidential electors and participate in elections therefor."

Referred to Committee on Privileges, Suffrage and Elections.

Mr. Stewart:

H. B. No. 718, A bill to be entitled "An Act to create a more efficient road system for Newton county, Texas, and creating the office of superintendent of public roads and bridges in said county, and providing for the appointment and discharge of superintendent, and prescribing his powers and duties, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Robertson and Mr. Sholars:

H. B. No. 719, A bill to be entitled "An Act to amend Article 1572, Chapter 12, Title 31, and to repeal Article 1651, Chapter 13, Title 32, of the Revised Civil Statutes of this State, so as to dispense with the official publication of the decisions of the Courts of Civil Appeals."

Referred to Committee on Reforms in Civil Procedure.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 161, to Committee on Privileges, Suffrage and Elections.

S. B. No. 355, to Committee on Banks and Banking.

S. B. No. 231, to Committee on Education.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Fairchild, it was ordered that Senate bill No. 355 be not printed.

On motion of Mr. Baker, it was ordered that Senate bill No. 349 be not printed.

On motion of Mr. Taylor, it was ordered that House bill No. 672 be not printed.

HOUSE BILL NO. 135 ON SECOND READING.

On motion of Mr. McFarland, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 135, A bill to be entitled "An Act amending Article 2939, Chapter 4, Title 49, Revised Civil Statutes of the State of Texas of 1911, and to regulate elections, and prescribing certain qualifications of voters thereat, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

Mr. Bertram moved to reconsider the vote by which the bill was passed to engrossment, and asked to have the motion to reconsider spread upon the Journal.

Mr. McFarland called up the motion to reconsider and moved to lay it on the table.

The motion to table prevailed.

HOUSE BILL NO. 373 ON SECOND READING.

On motion of Mr. Moore, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 373, A bill to be entitled "An Act providing for the extension by the Penitentiary Commission of the railroad now owned by the State, extending from Rusk, in Cherokee county, to Palestine, in Anderson county, to the city of Dallas, in Dallas county, and for its maintenance, equipment and operation; providing for condemning the right of way and material therefor; providing for condemnation proceedings; providing for the issuance of bonds by the Penitentiary Commission in an amount sufficient for the extension of said road; providing that said Penitentiary Commission may accept donations or gifts, either in money or lands or other necessities, for the extension of said road; providing that the rate of interest of said bonds shall be 5 per cent per annum; providing for

the redemption of said bonds; providing that said bonds may be purchased at the option of the State Board of Education and State Treasury with the permanent school fund of the State of Texas; providing that the Railroad Commission of Texas shall have jurisdiction over the traffic carried on and over said road, and authorizing said Commission to compel a fair division of freight and passenger charges between said railroad and all connecting lines therewith; providing that said Penitentiary Commission shall enforce and obey the orders and regulations of the Railroad Commission; providing for working State convicts in the construction of said road, and providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Moore offered the following amendment to the bill:

Amend House bill No. 373 by striking out all of said bill after the enacting clause and inserting in lieu thereof the following:

Section 1. That the Prison Commission be and they are hereby authorized together with the consent and approval of the Governor, to exercise full and plenary control of said State Railroad, and that they be given full authority to sell said railroad to another railroad corporation now in existence or hereafter to be formed, and to receive in payment therefor for the benefit and use of the State cash or stocks of said railroad corporation or the bonds of said railroad corporation or both, or to charter the State railroad into a separate corporation and said railroad corporation shall have power to issue bonds, debentures and mortgages to secure same and drawing any rate of interest which to said Prison Commission shall seem best, and to give generally and specially to said Prison Commission, acting with and by the consent and approval of the Governor, authority to sell, lease, or extend said railroad, and to do any and all things in the disposition, sale, lease, mortgage, extension or otherwise which an individual might do if he owned said Texas State railroad; provided, especially, that the credit of the State shall not be given impliedly or expressly, and all persons dealing with the Prison Commission and the Governor with reference to the manage-

ment or disposition of said railroad be and are hereby put on notice that the credit of the State is not bound morally or expressly.

Sec. 2. Should an extension of the road be deemed by the Prison Commission and the Governor advisable it shall be their duty to extend, build and construct said railroad to Waco, Texas, or to Dallas, Texas, or to Shreveport, Louisiana, or to Alexandria, Louisiana, or to any two of said places as said Prison Commission may determine by and with the consent and approval of the Governor, and the Prison Commission is hereby authorized to maintain, equip and operate said State railroad, and any and all such extensions thereof, to purchase therefor such equipment, rolling stock, engines and other equipment as said Prison Commission may deem necessary or expedient. Said Prison Commission shall also be and they are hereby authorized to build, construct, maintain, operate in connection with and along said State railroad over the right of way thereof an electric telephone or telegraph line.

Sec. 3. Whenever it shall be or become necessary to take, occupy or use any land or material for the purpose of constructing, building, draining or maintaining the said extension or extensions of said railroad, or for the purpose of draining or maintaining any portion of said State Railroad, including any and all extensions thereof; or for the purpose of constructing and maintaining turnouts, sidings and switches therefor, or for the purpose of erecting and maintaining depots thereon, or for the purpose of forming and maintaining any connection with any other railroad or railroads, said Prison Commission shall have full power and authority to enter upon, take, occupy and use such land, first paying therefor, however, the value and price thereof, if the owner thereof and said Prison Commission can agree on the value and price thereof; the value of the land so taken and the amount of damages, if any, to be paid by said Commission; but if such owner of such land and said Prison Commission cannot agree thereon, said Commission may proceed to condemn any and all such land in the same manner, so far as applicable, that a railroad corporation, under laws now existing, or to be hereafter passed, may condemn the land for right of way, and in so far as such proceedings may be applicable, the same proceedings may be had, and as to each party the same rights

shall exist as would exist if such proceedings in condemnation were by or on behalf of a railroad corporation, except that in no case shall said Prison Commission or the State of Texas be required to give bond.

Sec. 4. Any and all proceedings in condemnation provided for by this act shall be instituted and prosecuted in the name of the State of Texas, for the use of said Prison Commission and their successors in office, and any and all judgments and decrees or condemnation in such proceedings, and any and all deeds for any and all such lands which may be acquired by said Commission for any of the purposes mentioned in this act shall run accordingly.

Any and all such condemnation proceedings shall be instituted and prosecuted by the county attorney of the county in which such land or material may be situated, and as compensation for such services such county attorney shall be entitled to receive and shall be paid by said Commission, out of current revenues, reasonable fees, not exceeding in any instance more than ten per cent of the price which said Commission shall pay for such condemned land or material.

Sec. 5. In order to obtain and secure repayment of the necessary money with which to carry into effect the provisions of this act, said Prison Commission shall be, and they are hereby authorized to have printed and execute, as herein provided, mortgage in such form and such amount or amounts as said Prison Commission may determine, bearing interest from date, at the rate not exceeding six per cent per annum, payable as said Prison Commission may determine and as indicated upon the coupons thereof, which shall be attached to such bonds, said bonds maturing twenty years from the date of their issuance, with an option of redemption after ten years. Each and all of said bonds may be secured by a mortgage lien upon said line of railroad and all extensions thereof authorized by this act, and embracing its entire right of way, franchise, depot buildings, and grounds, equipment, rolling stock, engines and cars.

The form of such bonds and coupons shall be approved by the Attorney General and all such bonds and coupons shall be signed by the chairman and secretary of the Prison Commission, and such bonds shall be countersigned by the Governor; provided especially that the credit of the State shall not be given impliedly or expressly, and all

persons dealing with the Prison Commission or the Governor on any matter pertaining to the management or disposition of said railroad are hereby put on notice that the credit of the State is not bound morally or expressly.

Sec. 6. The Prison Commission are hereby authorized to accept donations and gifts, either in money or lands, or other necessities, to be used in the extension of said road.

Sec. 7. The Prison Commission are hereby authorized to employ the State convicts in the construction or extension of said railroad, and to enter said convicts into the service of any corporation that may have in hand the building of said railroad, said convicts, however, to be worked under the direct supervision and control of the Prison Commission, but in no event shall such convicts be employed or used in the operation or handling of any train or car upon said railroad which may be used or operated thereupon in transportation for hire either passenger or freight.

Sec. 8. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 9. The Railroad Commission of Texas shall have the same jurisdiction and power over the traffic carried on and over said railroad and with respect to divisions of traffic charges between said railroad and connecting lines of railroad as said Commission has, or may hereafter have by law, in the matter of compelling lines of railway corporations in this State, and it shall be and is hereby made the duty of the Prison Commission of this State to obey and enforce all rules, regulations, rates and divisions relating to such traffic charges as are made and fixed by the Railroad Commission of Texas.

Sec. 10. The fact that there now exists no law providing for means for the extension of said railroad or giving to any man or set of men the right to sell, lease, mortgage or otherwise handle said railroad on a profitable basis, and the fact as it now exists it cannot be made a paying proposition for the State, owing to the shortness of the line, and owing to the fact that it has no connection with any city or large manufacturing center, and the fact that it is necessary in order to protect the best interests of the State and the taxpayers thereof to vest in said Commission, with the approval and consent of the Governor, full and plenary control of said railroad, to do

any and all things as completely, effectively and as an individual might do if he owned said railroad, creates an emergency and an imperative public necessity requiring the constitutional rule, which provides that bills be read on three several days, be suspended, and it is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Question—Shall the amendment be adopted?

On motion of Mr. Carlock, further consideration of the bill was postponed until 10 o'clock a. m. tomorrow.

HOUSE BILL NO. 375 ON SECOND READING.

On motion of Mr. Bedell, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 375, A bill to be entitled "An Act to amend Article 2811, Chapter 14, Title 48, Revised Statutes of Texas, 1911, empowering the trustees of any school district upon petition of parents or guardians to require said trustees to establish and maintain free kindergarten for the training of children between the ages of five and seven years, and to provide for trained kindergarten teachers."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill:

S. B. No. 231, A bill to be entitled "An Act authorizing the State Normal School Board of Regents to purchase the properties of the East Texas Normal College located at Commerce, in Hunt county, Texas; in so far as the appropriation made provides for the purpose and to receive the balance of the value thereof as a donation in the event the board should find the facts stated in the preamble to this bill substantially true, and providing that if the board should not find the properties equal to the value stated in the preamble they may decline to purchase the property until further directed by the Legislature; providing

for an examination of the title of the property by the Attorney General, the execution of deeds and bills of sale to the Governor of the State for use and benefit of the State; creating a normal school to be one of the normal schools of the State, to consist of the original equipment, properties and buildings of the present existing East Texas Normal College located at Commerce, as aforesaid; providing that said normal college shall be conducted as other State normals, under the management and control of said board; declaring that all laws of the State applicable to State normals shall be applicable to said East Texas Normal College; providing that the appropriation shall not be paid over in the consummation of the purchase to the properties here referred to prior to the 31st of August, A. D. 1917, authorizing the said board after the purchase of the property to permit the school to continue under its present management as a private institution until the Thirty-sixth Legislature makes an appropriation for its support and maintenance; appropriating the sum of \$80,000 for the purchase of said property, and declaring an emergency."

Respectfully,

G. H. BOYNTON,

Assistant Secretary of the Senate.

HOUSE BILL NO. 473 ON SECOND READING.

On motion of Mr. Dodd, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 473, A bill to be entitled "An Act requiring all male persons entering into matrimony contracts to undergo a physical examination and furnishing health certificates showing that the contracting party is free from all venereal diseases, and declaring an emergency."

The Speaker laid the bill before the House, and it was read the second time.

Mr. Tilson offered the following amendment to the bill:

"Provided, that no physician shall charge a greater fee than one dollar for each examination."

The amendment was adopted.

Mr. Davis of Van Zandt offered the following amendments to the bill:

Amend House bill No. 473, page line 18, by striking out the word "are" and substituting the word "is."

Amend line 13 by striking out "male

persons" and inserting in lieu thereof "any male person."

The amendments were adopted.

House bill No. 473 was then passed to engrossment.

Mr. Dodd moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 237, A bill to be entitled "An Act to amend Chapter 179 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, entitled an act relating to employers' liability, and providing for the compensation of certain employees, and their representatives and beneficiaries, for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims, and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to require the county judges, county, city and town superintendents, county and city treasurers and depositories of school boards and other school officers and teachers certain reports relating to school funds and school affairs; providing that the State Superintendent shall furnish blanks for such purpose; providing a penalty for a failure on the part of such officers to make such reports within twenty days after required by the State Superintendent, and declaring an emergency."

S. B. No. 379, A bill to be entitled "An Act to amend Section 1 of House bill No. 34 enacted by the Thirty-fifth Legislature, and approved by the Governor February 13, 1917, relating to the creation of a juvenile board within

certain counties of this State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said district judges an additional salary to be paid out of the general revenue fund of such county, and declaring an emergency."

S. B. No. 359, A bill to be entitled "An Act to provide for the holding of an election to determine whether hogs, sheep or goats may run at large in the counties of Henderson and Anderson, of this State, during only those months of each year designated in the petition; providing that elections may be held therein, and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act amending Section 15, Chapter 4 of the local and special laws of the First Called Session of the Thirty-first Legislature," etc.

Respectfully,
JOHN D. McCALL,
Secretary of the Senate.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 61, "An Act to amend Article 3420, Chapter 18, Title 52, of the Revised Statutes of the State of Texas of 1911, providing that no property encumbered by certain liens shall be set aside to the widow or children as exempt property, or appropriated to make up the allowance in lieu of exempt property, or for a year's support, until the debts secured by such liens are first discharged, and declaring an emergency."

HOUSE BILL NO. 378 ON SECOND READING.

Mr. Parks moved to suspend the regular order of business to take up and have placed on its second reading and passage to engrossment.

H. B. No. 378, A bill to be entitled "An Act to amend Article 303, Chapter 2, Title 7, of the Penal Code of the State of Texas, so as to except from the provisions of Article 302, Chapter 2, Title 7, markets or dealers in provisions, the sale of burial or shrouding material, newspapers, ice, ice cream, milk, sending of telegraph or telephone messages, keepers of drug stores, hotels, boarding houses, restaurants, livery sta-

ables, bathhouses, ice dealers, telegraph or telephone offices, and theaters in cities of over five thousand inhabitants, and granting to such cities the power to regulate and prohibit theaters."

Yeas and nays were demanded, and the motion to suspend prevailed by the following vote:

Yeas—89.

| | |
|--------------------|-------------------|
| Baker. | McMillin. |
| Beard of Harris. | Martin. |
| Beason. | Meador. |
| Bedell. | Mendell. |
| Bell. | Metcalfe. |
| Blackburn. | Miller of Austin. |
| Blackmon. | Miller of Dallas. |
| Bledsoe. | Monday. |
| Brown. | Moore. |
| Burton of Rusk. | Morris. |
| Burton of Tarrant. | Neeley. |
| Butler. | Nichols. |
| Cadenhead. | Nordhaus. |
| Canales. | Parks. |
| Clark. | Peddy. |
| Cox. | Poage. |
| Davis of Grimes. | Pope. |
| De Bogory. | Robertson. |
| Denton. | Roemer. |
| Dodd. | Sackett. |
| Dudley. | Sallas. |
| Dunnam. | Schlesinger. |
| Estes. | Schlosshan. |
| Fairchild. | Scholl. |
| Fisher. | Sholars. |
| Fitzpatrick. | Smith of Bastrop. |
| Florer. | Smith of Hopkins. |
| Greenwood. | Smith of Scurry. |
| Haidusek. | Spradley. |
| Hardey. | Swope. |
| Harris. | Taylor. |
| Hartman. | Terrell. |
| Hawkins. | Thomason |
| Holland. | of El Paso. |
| Johnson. | Thompson |
| Jones. | of Red River. |
| Laas. | Tillotson. |
| Lacey. | Tschoepe. |
| Laney. | Valentine. |
| Lange. | Veatch. |
| Lanier. | Walker. |
| Lee. | Williams |
| Lowe | of Brazoria. |
| of McMullen. | Williams |
| Low | of McLennan. |
| of Washington. | Woods. |
| McDowra. | Woodul. |
| McFarland. | |

Nays—35.

| | |
|-----------------|------------------|
| Beard of Milam. | Cope. |
| Bertram. | Crudgington. |
| Blalock. | Davis of Dallas. |
| Boner. | Davis |
| Bryan. | of Van Zandt. |
| Bryant. | Fly. |

| | |
|-----------|-----------------|
| Hill. | Sentell. |
| Hudspeth. | Seawright. |
| McComb. | Stewart. |
| Murrell. | Thomas. |
| Neill. | Thomason |
| O'Banion. | of Nacogdoches. |
| O'Brien. | Thompson |
| Osborne. | of Hunt. |
| Peyton. | Tilson. |
| Raiden. | Traylor. |
| Reeves. | Williford. |
| Rogers. | Wilson. |
| Russell. | Yantis. |

Absent.

| | |
|-----------|-------------------|
| Bagby. | Spencer of Nolan. |
| Beasley. | Spencer of Wise. |
| Bland. | Strayhorn. |
| Carlock. | Templeton. |
| Cates. | Upchurch. |
| McCoy. | Wahrmund. |
| Richards. | |

Absent—Excused.

| | |
|------------|---------|
| Lindemann. | Tinner. |
| Pillow. | White. |

The Speaker laid the bill before the House, and it was read second time.

Mr. Parks offered the following amendment to the bill:

Amend House bill No. 378 by striking out all after the enacting clause and insert the following:

Section 1. Cities of over five thousand inhabitants are hereby granted the power of local self-government as to, and may by the public will, as expressed by ordinance, or charter amendment, authorize, or allow, censor and regulate, or prohibit the operation of theaters on Sunday.

Sec. 2. The present condition of the law on this subject and the importance of the change herein contemplated creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be and the same is hereby suspended, and that this act become a law from and after its passage, and it is so enacted.

The amendment was adopted.

Mr. Parks offered the following amendment to the bill:

Amend House bill No. 378 by striking out all above the enacting clause and insert the following:

"A bill to be entitled 'An Act granting to cities of over five thousand inhabitants power of local self-government to allow, censor and regulate, or to prohibit the operation of theaters on Sunday.'"

The amendment was adopted.

Mr. Davis of Van Zandt offered the following amendment to the bill:

Amend House bill No. 378 by striking out the enacting clause.

Mr. Nordhaus moved the previous question on the amendment and the engrossment of the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Davis of Van Zandt, striking out the enacting clause of the bill, yeas and nays were demanded.

(Mr. Mendell in the chair.)

The amendment was lost by the following vote:

Yeas—59.

| | |
|------------------|-------------------|
| Baker. | McMillin. |
| Beard of Milam. | Mendell. |
| Beasley. | Murrell. |
| Bedell. | Neill. |
| Bertram. | O'Banion. |
| Blackburn. | Osborne. |
| Blackmon. | Peddy. |
| Blalock. | Peyton. |
| Bland. | Raiden. |
| Boner. | Reeves. |
| Bryan. | Rogers. |
| Bryant. | Russell. |
| Burton of Rusk. | Sentell. |
| Butler. | Seawright. |
| Cadenhead. | Smith of Bastrop. |
| Canales. | Smith of Scurry. |
| Clark. | Spencer of Wise. |
| Cope. | Stewart. |
| Crudgington. | Templeton. |
| Davis of Dallas. | Terrell. |
| Davis | Thomas. |
| of Van Zandt. | Thomason |
| De Bogory. | of Nacogdoches. |
| Dodd. | Thompson |
| Estes. | of Hunt. |
| Fly. | Tilson. |
| Hawkins. | Traylor. |
| Hill. | Veatch. |
| Johnson. | Williford. |
| McComb. | Wilson. |
| McDowra. | Yantis. |

Nays—68.

| | |
|--------------------|----------------|
| Bagby. | Haidusek. |
| Beard of Harris. | Hardey. |
| Beason. | Harris. |
| Brown. | Hartman. |
| Burton of Tarrant. | Holland. |
| Cates. | Hudspeth. |
| Cox. | Jones. |
| Davis of Grimes. | Laas. |
| Denton. | Lacey. |
| Dudley. | Lange. |
| Dunnam. | Lanier. |
| Fairchild. | Lee. |
| Fisher. | Low. |
| Fitzpatrick. | of McMullen. |
| Florer. | Low |
| Greenwood. | of Washington. |

| | |
|-------------------|-------------------|
| McCoy. | Schlosshan. |
| McFarland. | Scholl. |
| Martin. | Sholars. |
| Meador. | Smith of Hopkins. |
| Metcalf. | Spradley. |
| Miller of Austin. | Swope. |
| Miller of Dallas. | Taylor. |
| Monday. | Thomason |
| Moore. | of El Paso. |
| Neeley. | Thompson |
| Nichols. | of Red River. |
| Nordhaus. | Tillotson. |
| O'Brien. | Tschoepe. |
| Parks. | Valentine. |
| Poage. | Walker. |
| Pope. | Williams |
| Robertson. | of Brazoria. |
| Roemer. | Williams |
| Sackett. | of McLennan. |
| Sallas. | Woods. |
| Schlesinger. | Woodul. |

Absent.

| | |
|----------|-------------------|
| Bell. | Richards. |
| Bledsoe. | Spencer of Nolan. |
| Carlock. | Strayhorn. |
| Laney. | Upchurch. |
| Morris. | Wahrmund. |

Absent—Excused.

| | |
|------------|---------|
| Lindemann. | Tinner. |
| Pillow. | White. |

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 378 was passed to engrossment by the following vote:

Yeas—62.

| | |
|--------------------|-------------------|
| Bagby. | Lee. |
| Beard of Harris. | Lowe |
| Beason. | of McMullen. |
| Brown. | Low |
| Burton of Tarrant. | of Washington. |
| Cates. | McFarland. |
| Cox. | Martin. |
| Davis of Grimes. | Meador. |
| Denton. | Metcalf. |
| Dudley. | Miller of Austin. |
| Dunnam. | Miller of Dallas. |
| Fisher. | Monday. |
| Fitzpatrick. | Moore. |
| Florer. | Neeley. |
| Greenwood. | Nichols. |
| Haidusek. | Nordhaus. |
| Hardey. | O'Brien. |
| Harris. | Parks. |
| Hartman. | Poage. |
| Holland. | Pope. |
| Hudspeth. | Robertson. |
| Jones. | Roemer. |
| Laas. | Sackett. |
| Lange. | Schlesinger. |
| Lanier. | Schlosshan. |

| | |
|---------------|--------------|
| Scholl. | Tillotson. |
| Sholars. | Tschoepe. |
| Spradley. | Valentine. |
| Swope. | Walker. |
| Taylor. | Williams. |
| Thomason | of Brazoria. |
| of El Paso. | Williams |
| Thompson | of McLennan. |
| of Red River. | Woodul. |

Nays—59.

| | |
|------------------|-------------------|
| Beard of Milam. | Mendell. |
| Beasley. | Murrell. |
| Bedell. | Neill. |
| Bertram. | O'Banion. |
| Blackburn. | Osborne. |
| Blackmon. | Peddy. |
| Blalock. | Peyton. |
| Boner. | Raiden. |
| Bryan. | Reeves. |
| Bryant. | Rogers. |
| Burton of Rusk. | Russell. |
| Butler. | Sentell. |
| Canales. | Seawright. |
| Clark. | Smith of Bastrop. |
| Cope. | Smith of Hopkins. |
| Crudgington. | Smith of Scurry. |
| Davis of Dallas. | Spencer of Wise. |
| Davis | Stewart. |
| of Van Zandt. | Templeton. |
| De Bogory. | Terrell. |
| Dodd. | Thomas. |
| Estes. | Thomason |
| Fairchild. | of Nacogdoches. |
| Fly. | Thompson |
| Hawkins. | of Hunt. |
| Hill. | Tilson. |
| Lacey. | Traylor. |
| McComb. | Veatch. |
| McCoy. | Williford. |
| McDowra. | Wilson. |
| McMillin. | Yantis. |

Present—Not Voting.

| | |
|--------|--------|
| Bland. | Woods. |
|--------|--------|

Absent.

| | |
|------------|-------------------|
| Baker. | Morris. |
| Bell. | Richards. |
| Bledsoe. | Sallas. |
| Cadenhead. | Spencer of Nolan. |
| Carlock. | Strayhorn. |
| Johnson. | Upchurch. |
| Laney. | Wahrmund. |

Absent—Excused.

| | |
|------------|---------|
| Lindemann. | Tinner. |
| Pillow. | White. |

Mr. Parks moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

RECESS.

On motion of Mr. Miller of Dallas, the House, at 12:25 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

RELATING TO INVESTIGATION OF CHARGES AGAINST THE GOVERNOR.

The Speaker laid before the House, as postponed business, for consideration at this time, the resolution offered on last Saturday by Mr. O'Banion, relating to the investigation of certain charges against Governor James E. Ferguson.

Question—Shall the resolution be adopted?

Mr. O'Banion offered the following amendment to the resolution:

Amend resolution by adding after the next to the last paragraph the following: "And said committee shall have and is hereby granted the power to employ counsel to assist it in said investigation, said counsel to be paid whatever sum determined by said committee; and any officer subject to investigation shall have, and is hereby granted, the right to appear before said committee by counsel."

The amendment was adopted.

Question—Shall the resolution as amended be adopted?

Pending consideration of the resolution, Mr. Mendell moved that the courtesies of the House be extended to Governor James E. Ferguson and that he be invited to address the House.

The motion prevailed.

The Speaker then appointed Mr. Mendell and Mr. Bagby to escort Governor Ferguson to the Speaker's stand.

The Governor having been escorted to the Speaker's stand and having been presented to the House by the Speaker, then addressed the House.

Question again recurring on the adoption of the resolution as amended, Mr. Spradley and others submitted the following motion in writing:

"Mr. Speaker: The duty of the Legislature is to perform public service rather than to promote political feuds and encourage partisan agitation. The obligation is upon the Legislature to spend the people's time and money in the enactment of remedial and constructive

legislation rather than in the discussion of political charges already preferred and disposed of on the stump and at the ballot box. It is therefore most respectfully moved that the resolution of the gentleman from Harrison be laid on the table."

Signed—Spradley, Monday, Fisher, Blackburn, Moore, Williams of Brazoria, Lange, Beard of Harris.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—104.

| | |
|--------------------|-------------------|
| Bagby. | Lowe |
| Baker. | of McMullen. |
| Beard of Harris. | Low |
| Beard of Milam. | of Washington. |
| Beasley. | McComb. |
| Beason. | McCoy. |
| Bell. | McFarland. |
| Blackburn. | Martin. |
| Blackmon. | Mendell. |
| Bland. | Metcalf. |
| Bledsoe. | Miller of Austin. |
| Boner. | Miller of Dallas. |
| Brown. | Monday. |
| Bryan. | Moore. |
| Bryant. | Morris. |
| Burton of Tarrant. | Neeley. |
| Butler. | Neill. |
| Canales. | Nichols. |
| Carlock. | Nordhaus. |
| Cates. | O'Brien. |
| Clark. | Osborne. |
| Cox. | Parks. |
| Crudginton. | Peyton. |
| Davis of Grimes. | Poage. |
| De Bogory. | Pope. |
| Denton. | Roemer. |
| Dudley. | Sackett. |
| Dunnam. | Sallas. |
| Fairchild. | Schlesinger. |
| Fisher. | Schlosshan. |
| Fitzpatrick. | Scholl. |
| Florer. | Sholars. |
| Fly. | Smith of Bastrop. |
| Greenwood. | Smith of Scurry. |
| Haidusek. | Spencer of Nolan. |
| Hardey. | Spradley. |
| Harris. | Strayhorn. |
| Hartman. | Swope. |
| Hawkins. | Taylor. |
| Hill. | Templeton. |
| Holland. | Thomason |
| Hudspeth. | of El Paso. |
| Jones. | Thompson |
| Laas. | of Hunt. |
| Lacey. | Thompson |
| Laney. | of Red River. |
| Lange. | Tillotson. |
| Lanier. | Tilson. |
| Lee. | Tschoepe. |
| Lindemann. | Valentine. |

| | |
|--------------|--------------|
| Veatch. | Williams |
| Wahrmond. | of McLennan. |
| Walker. | Wilson. |
| Williams | Woods. |
| of Brazoria. | Woodul. |
| | Yantis. |

Nays—31.

| | |
|------------------|-------------------|
| Bedell. | Raiden. |
| Bertram. | Reeves. |
| Blalock. | Robertson. |
| Burton of Rusk. | Rogers. |
| Cadenhead. | Russell. |
| Cope. | Sentell. |
| Davis of Dallas. | Seawright. |
| Davis | Smith of Hopkins. |
| of Van Zandt. | Spencer of Wise. |
| Dodd. | Stewart. |
| Estes. | Terrell. |
| Johnson. | Thomas. |
| McMillin. | Thomason |
| Meador. | of Nacogdoches. |
| Murrell. | Trayler. |
| O'Banion. | Williford. |
| Peddy. | |

Present—Not Voting.

McDowra.

Absent.

Richards.

Upchurch.

Absent—Excused.

Pillow.

White.

Tinner.

Reasons for Votes.

I vote "no" on the motion to table because from the confessions of the Governor, the State Bank at Temple through its directors has violated the law in lending the Governor more than its capital and surplus, and that the Governor who is the executor of the law and is under oath to faithfully and impartially execute the laws has connived at this violation of the law and has permitted the Commissioner of Banking to connive at it.

DAVIS of Van Zandt.

I vote to table the resolution because the resolution is based upon hearsay only, and there is no evidence before this body to justify an impeachment of anyone, and I see no reason for appointing a committee to investigate until there is some tangible evidence before this body.

BRYAN.

I vote to table because the alleged charges made in the resolution are based upon rumor, and in my judgment do not justify the appointment of a

committee by the House to investigate them, believing that nothing would be developed that would warrant the instituting of impeachment proceedings against our Chief Executive.

BEARD of Milam.

I have voted to table the resolutions proposing to investigate certain charges against Governor James E. Ferguson for the following reasons:

1. There are only seventeen (17) days of the Regular Session of sixty (60) days remaining. We have no assurance that the Regular Session would be extended beyond the limit fixed by law for the purposes of this investigation. There is not sufficient time remaining to make anything like a full and fair investigation of the charges mentioned, to say nothing of giving any report said committee may make thorough consideration by the members of this House.

2. The members of this House are made up entirely of the political supporters and opponents of Governor Ferguson, and a non-partisan committee can not be secured from among its members to make such investigation.

3. The results of such investigation, when made, would most surely be two conflicting reports—one of said reports submitted and supported by the political opponents of the Governor, and the other report made and supported by his political partisans upon said committee.

4. It is believed that substantially all of the facts involved in the charges made are well known to the members of this House, and that if it is considered that the facts thus known are sufficient to justify the said charges, the House should proceed to try the said charges without the expense and delay incident to referring the same to a committee as proposed in the said resolution.

For the reasons stated, I am opposed to the adoption of the said resolutions, and have supported the motion to table the same.

THOMPSON of Hunt.

I believe that a knowledge of the facts as to the honor and official conduct of its public officers is of as great importance to the people of Texas as anything that can come before the Legislature. Written charges involving such matters have been filed. The matter has gone beyond mere rumor. I believe that it is the duty of the Legislature to make an investigation in order that the people may know the facts, and this, notwithstanding the personal opinion of the members

as to the truth or falsity of the charges. Feeling as I do, I can not do otherwise than vote against the motion to table the resolution.

ROBERTSON.

I vote "nay" for the reason that the Governor said that if the charges be true that he ought not to be Governor, etc. We cannot know as to the truth or falseness of the charges without a systematic investigation. I believe that we owe it to the Governor and to the people of the State to investigate.

RUSSELL.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 19, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following Senate resolution: S. R. No. 87, Requesting the return of Senate bill No. 34 for the purpose of correcting a clerical error in the engrossed bill.

Respectfully,

G. H. BOYNTON,
Assistant Secretary of the Senate.

RECESS.

Mr. Williams of Brazoria moved that the House recess to 7:30 o'clock p. m. today.

Mr. Woods moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Peyton moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Woods prevailed, and the House, accordingly, at 6:10 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF COMMITTEE ON BANKS AND BANKING.

Committee Room,
Austin, Texas, February 19, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Banks and Banking, to whom was referred Senate bill No. 355, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

FAIRCHILD, Chairman.

REPORT OF COMMITTEE ON COUNTIES.

Committee Room,
Austin, Texas, February 17, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Counties, to whom was referred House bill No. 639, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

HARDEY, Chairman.

REPORT OF COMMITTEE ON EDUCATION.

Committee Room,
Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 705, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

Committee Room,
Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 449, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

NEILL, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 642, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

NEILL, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue

and Taxation, to whom was referred House bill No. 362, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

NEILL, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 633, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

NEILL, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 663, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Thompson of Red River has been appointed to make a full report thereon.

NEILL, Chairman.

REPORT OF COMMITTEE ON FEDERAL RELATIONS.

Committee Room,
Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Federal Relations, to whom was referred House bill No. 471, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

STRAYHORN, Chairman.

REPORT OF JUDICIARY COMMITTEE.

Committee Room,
Austin, Texas, February 17, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to whom was referred Senate bill No. 34, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Miller of Dallas has been appointed to make a full report thereon.

WILLIAMS of Brazoria, Vice-Chairman.

REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

Committee Room,
Austin, Texas, February 19, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Municipal Corporations, to whom was referred Senate bill No. 360, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

MENDELL, Chairman.

REPORTS OF COMMITTEE ON ROADS, BRIDGES AND FERRIES.

Committee Room,
Austin, Texas, February 17, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 672, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

BLAND, Chairman.

Committee Room,
Austin, Texas, February 17, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 630, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

BLAND, Chairman.

Committee Room,
Austin, Texas, February 17, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 702, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

BLAND, Chairman.

Committee Room,
Austin, Texas, February 17, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 599, have had the same under consideration and I am in-

structed to report it back to the House with the recommendation that it do pass.

BLAND, Chairman.

REPORT OF COMMITTEE ON REFORMS IN CIVIL PROCEDURE.

Committee Room,
Austin, Texas, February 17, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Civil Procedure, to whom was referred House bill No. 686, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Miller of Dallas has been appointed to make a full report thereon. Mr. Rogers gave notice of a minority report.

CARLOCK, Chairman.

REPORT OF COMMITTEE ON JUDICIAL DISTRICTS.

Committee Room,
Austin, Texas, February 13, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Judicial Districts, to whom was referred House bill No. 538, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Williams of Brazoria has been appointed to make a full report thereon.

MOORE, Vice-Chairman.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 19, 1917.
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. J. R. No. 1, Proposing to amend the Constitution of the State of Texas by amending Article 16, Section 20, thereof by striking out and repealing said section and substituting in lieu thereof a new Section 20, prohibiting the manufacture, sale, exchange, storage, intrastate and interstate shipment of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, except for medicinal, scientific and sacramental purposes, on and after the first day of April, A. D. 1918, and providing that the Legislature of the State of Texas shall at noon on the

first day of April, A. D. 1918, by authority of this section, meet at the city of Austin in the State of Texas, and pass efficient laws to enforce this section; providing further, that this section shall not prevent any session of the Legislature from passing any law to enforce the same; and further providing that the felony crimes described in the local option law and the punishments prescribed therefor shall on and after said date apply to and be in full force and effect in all counties of the State by virtue of this section without the necessity of the adoption of said law by each county separately, and so remain in force until repealed by the Legislature; providing the forms of ballots fixing the dates of election and the meeting of the Legislature and authorizing the Governor to call an election to determine whether the amendment will be adopted,

And find the same correctly engrossed.
RUSSELL, Vice-Chairman.

THIRTY-FIRST DAY.

(Continued.)

(Tuesday, February 20, 1917.)

The House met at 10 o'clock a. m. and was called to order by the Speaker.

HOUSE BILL NO. 73 ON SECOND READING.

On motion of Mr. Walker, by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 73, A bill to be entitled "An Act declaring it the duty of the owner entitled to the beneficial use, rental or control of, or in case of a non-resident, the occupant, lessee, of any building, three or more stories in height, constructed, used or intended to be used as a hospital, seminary, college, academy, schoolhouse, dormitory, hotel, lodging house, apartment house, rooming house, boarding house, theater or any place of public amusement, lodge, hotel or any hall used for public gatherings or any manufacturing establishment or industrial plant, wholesale or retail store, workshop, warehouse, office building and any building, erected by any municipal, county or State authority, wherein public assemblies are permitted, or sleeping apartments are provided on any floor above the second, to erect and fix to every such building one or more

adequate fire escapes; defining an adequate fire escape as required by this act, providing for the promulgation of specifications for each type of fire escape permitted by the terms hereof by the fire marshal of the State Fire Insurance Commission; and making it the duty of said fire marshal to enforce the provisions of the act with the assistance of fire chiefs and city fire marshals, as required by this act; providing how notice shall be given to any owner, occupant or lessee to erect fire escapes; providing remedies and penalties with regard to the enforcement thereof, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read the second time.

Mr. Woods offered the following amendment to the bill:

Amend House bill No. 73 by beginning with the word "or," line 24, striking out said word "or," and on down to the word "law," line 34.

Mr. Schlesinger offered the following amendment to the amendment:

Amend amendment to House bill No. 73 by striking out on page 5 in Section 7, in line 22, beginning with the word "such" and ending with the word "them" in line 28.

Mr. Holland offered the following substitute for the pending amendments:

Amend House bill No. 73 by striking out all of Section 7 after the word "located," in line 23, page 5, down to the word "for" in line 24, page 5.

Question first recurring on the substitute, it was adopted.

Mr. Woods offered the following amendment to the amendment as substituted:

Amend Section 7 of House bill No. 73 by striking out, beginning with the word "or," line 24, down to and including the word "them," line 28.

The amendment to the amendment as substituted was adopted.

The amendment as substituted and amended was then adopted.

House bill No. 73 was then passed to engrossment.

Mr. Burton of Tarrant moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 498 ON SECOND READING.

On motion of Mr. Butler, by unanimous consent, the regular order of business was suspended, to take up and